

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA

MICHAEL D. LEATHERWOOD,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	No. CIV-15-767-C
	)	
HECTOR RIOS, Warden,	)	
Lawton Correctional Facility, et al.,	)	
	)	
Defendants.	)	

ORDER ADOPTING REPORT AND RECOMMENDATION

This civil rights action brought by a prisoner, proceeding pro se, was referred to United States Magistrate Judge Suzanne Mitchell, consistent with the provisions of 28 U.S.C. § 636(b)(1)(B). Judge Mitchell entered a Report and Recommendation on October 13, 2016, to which Plaintiff has timely objected. The Court therefore considers the matter de novo.

The facts and law are accurately set out in the Magistrate Judge's Report and Recommendation and there is no purpose to be served in repeating them yet again. In his objection, Plaintiff merely restates the conclusions and legal argument originally asserted, and raises no issue not fully and accurately addressed and rejected by the Magistrate Judge.

Accordingly, the Court adopts, in its entirety, the Report and Recommendation of the Magistrate Judge, and for the reasons announced therein, Defendants Rios and Berg's Motion to Dismiss Plaintiff's Amended Complaint (Dkt. No. 105) is granted, with prejudice, and the Motion to Dismiss of Defendants Keefe Commissary and Jacob Quiroga (Dkt. No. 109) is granted, without prejudice.

All pending motions are denied as moot and a judgment will enter.

IT IS SO ORDERED this 12th day of December, 2016.



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ROBIN J. CAUTHRON  
United States District Judge